

**REMARKS**

Claims 1-22 are pending in the present application. Claims 1-22 have been rejected. No claims have been allowed. Claim 14 has been amended solely for purposes of clarification such that its scope has not been narrowed in any way. No claims have been canceled or added.

**I. Claim Rejections under 35 U.S.C. § 101**

Claims 14-16 stand rejected under 35 U.S.C. § 101. In particular, the Office Action states that "the independently claimed invention does not recite a useful, concrete, and tangible result." Applicant respectfully traverses these § 101 rejections.

Applicant again respectfully submits that all claims as originally filed meet the statutory requirements of Section 101, and that these claims do indeed require the use of or interaction with one or more physical structures or mechanical objects. For example, independent Claim 1 as filed requires the steps of accepting at least one *voucher* at a *gaming machine*, and storing *vouchers* in and retrieving *vouchers* from that *gaming machine*.

In order to facilitate and expedite prosecution, however, independent Claim 14 has been amended to clarify that which is being claimed. Applicant notes in particular the requirement of a gaming machine in both the preamble and the crediting step of Claim 14, such that this claim cannot involve an intangible or abstract construct. It is respectfully submitted that the use of a gaming machine would be necessary under any claim wording in light of the original claim language, detailed specification and other similar claims, such that the scope of this claim has not been narrowed in any way, but rather has simply been clarified. Because Claims 15-16 both depend from Claim 14 and are therefore patentable for at least the same reasons as for this claim, Applicant respectfully submits that all issues with respect to 35 U.S.C. § 101 have been obviated.

## II. Claim Rejections under 35 U.S.C. § 102(b)

Claims 1, 9-17 and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,761,647 to Boushy ("Boushy"). In particular, the Office Action states, *inter alia*, that "Boushy is considered to disclose . . . at least one [cash] voucher having a particular cash value associated therewith . . . ; accepting by [a] gaming machine said at least one cash voucher . . . ; retrieving [] cash vouchers from [a] gaming machine; and comparing information from said [] retrieved cash vouchers to information . . . contained in [a] record." Applicant respectfully traverses these rejections.

Applicant respectfully submits that Boushy does not disclose any element of any of independent Claims 1, 9, 14 and 17. In particular, Boushy does not disclose and is not concerned with any form of "cash voucher" or similar instrument for use in conjunction with a gaming machine. Rather, Boushy discloses and describes a "National Customer Recognition System and Method" that is related to player tracking and loyalty points awards and comps in conjunction with play on gaming machines. In fact, the only instance of a voucher within Boushy is the passing mention of the redemption of a "comp voucher" at column 10 line 50. Such a comp voucher is well known in the art, however, and is certainly not a cash voucher, much less a "cash voucher having a particular cash value associated therewith" that is usable in a gaming machine. Conversely, each of the pending independent claims repeatedly recites the use of or need for a cash voucher. Given the fundamental necessity and prevalence of a cash voucher in the present claims and the complete failure of Boushy to describe or disclose such an item, Applicant is at a total loss as to how Boushy can be said to anticipate any of the presently pending claims.

Furthermore, Applicant respectfully submits that the specific passages of Boushy that are identified in the Office Action provide little assistance in ascertaining how each asserted claim

element is allegedly disclosed in or taught by Boushy. In fact, a careful read of these passages in comparison to the elements that they are said to disclose is quite perplexing. For example, the Office Action asserts that Boushy discloses "issuing at least one [cash] voucher having a particular cash value associated therewith or at least one data storage element for storing data regarding accepted cash vouchers, including a value of said accepted cash vouchers or crediting a value associated with an accepted cash voucher or bill money or at least one container for storing accepted bill monies and cash vouchers with one another (column 1 lines 23-27)."

However, column 1, lines 17-30 of Boushy states:

Typically, these tracking programs are implemented by providing each customer with a casino membership card which includes a machine readable identification number specific to the customer. Each identification number has an associated customer account that is stored in the casino's computer system and updated to reflect customer activity. Customers need only insert their cards in slot machines or card readers associated with gaming tables or give their cards to a casino employee to have their betting activity monitored and reflected in their accounts. Customer cards may also be used to track customer activity at casino venues, such as special events, showrooms, and hotels, through card readers and computer terminals manned by casino employees.

Applicant is at a loss in understanding how this passage remotely discloses or teaches elements such as a cash voucher, the acceptance of a cash voucher, a data storage element for storing data associated with a cash voucher, crediting a value associated with a cash voucher, or a container for storing a cash voucher, as asserted by the Office Action. At best, this passage discloses a player tracking card, the use of which is very well known in the art, and which does not comprise a cash voucher in any sense whatsoever. In any event, Applicant respectfully submits that this passage does not disclose a cash voucher or any other presently pending claim element.

As another example, the Office Action asserts that Boushy discloses "retrieving one or more cash vouchers from [a] gaming machine (column 10 lines 40-64)." However, column 10, lines 40-64 of Boushy states:

It is noted that in the centralized configuration of system 100 (FIG. 2C), central CMS 284 maintains data stores for each LAN 120 it handles. Consequently, the checking process described above occurs with centralized CMS 284 as well.

Gaming and non-gaming activities are treated differently, and updates occurring at step 444 typically include non-wagering activities related to gaming. For example, a customer's account may be updated at this point to reflect redemption of activity points, redemption of a comp voucher, or currency or marker transaction (credit advance). In addition, some wagering related data may be updated 444 at this time. For example, the start time of a betting session or the venue at which a wagering activity is occurring may be reflected to the customer's account.

As noted above, activity point awards are based on a number of criteria and these may be adjusted to target different casino properties or venues. At step 448, method 400 determines whether the monitored activity is one for which any points are awarded. In the preferred embodiment of the invention, non-gaming activity, such as hotel and event activity, may be tracked for accounting and marketing purposes. Once non-gaming activity has been reflected in the customer account, method 400 returns to await 410 the next triggering event.

Again, Applicant is at a complete loss in understanding how this passage remotely discloses, teaches or suggests a cash voucher, much less the step of "retrieving one or more cash vouchers from [a] gaming machine." Applicant thus respectfully submits that this passage does not disclose or teach such an element or step.

Further, the Office Action asserts that Boushy discloses "comparing information from said one or more retrieved cash vouchers to information regarding said at least one accepted cash vouchers contained in said record or a computing device adapted to determine whether the value of said sorted and scanned cash vouchers in the same as the value of cash vouchers accepted to said container (column 5 lines 65-67)." Yet, column 5, lines 65-67 of Boushy states:

LAN 120 may optionally include a pit tracking system (PTS) 258 to automatically track customer activity at gaming tables 134. PTS 258 is shown supported on a computer

Applicant is again at a total loss in understanding how this passage discloses such an element or step, and can only submit that this passage does not disclose or teach such an element or step.

Because Boushy does not disclose, teach or suggest the use of a "cash voucher," Boushy cannot be said to contain any material element that requires the use of or some action related to such a cash voucher. Accordingly, Boushy does not anticipate any of independent Claims 1, 9, 14 and 17, or any claim depending from these independent claims. Applicant thus respectfully requests the withdrawal of these § 102(b) rejections of Claims 1, 9-17 and 22.

### III. Claim Rejections under 35 U.S.C. § 103

Claims 2-8, 18, 20 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Boushy in view of U.S. Patent No. 6,500,067 to Luciano et al. ("Luciano"). In addition, claim 19 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Boushy in view of U.S. Patent No. 5,800,269 to Holch et al. ("Holch"). Applicant respectfully traverses.

As detailed above, independent Claims 1 and 17 have not been shown to be anticipated over the prior art for a number of reasons. Dependent Claims 2-8 depend from Claim 1, while dependent Claims 18-21 depend from Claim 17. Accordingly, Applicant respectfully submits that Claims 2-8 and 18-21 are patentable over the prior art for at least the same reasons as those provided for claims 1 and 17, and thus requests the withdrawal of the § 103 rejections with respect to these dependent claims for at least these reasons.

Furthermore, Applicant respectfully submits that Luciano and Holch are deficient in other areas, such that there are additional reasons for traversing these rejections under § 103. For example, while each of the presently pending claims requires the use of a "gaming machine," Luciano never discloses or describes such an element. Rather, Luciano teaches a "Voucher Gaming System" involving the use of, *inter alia*, a "PT." This PT is alternatively described as a "networked gaming device," a "gaming terminal," a "player terminal" and a "gaming device,"

but never as a “gaming machine.” Applicant respectfully submits that a “gaming machine” has a well defined and known meaning in the art, such that the presently claimed elements requiring, for example, “accepting by said at least one *gaming machine* said at least one cash voucher” must carry some weight over the more nebulous and imprecise recitations of a “gaming device” or “player terminal,” where such items have not been described as being or connected to an actual “gaming machine.”

In addition, neither Luciano nor Holch has been shown to contain a number of material elements as claimed. For example, the Office Action states, “Luciano is considered to disclose the step of accepting and crediting at a gaming machine including *retrieving* money and reading *cash vouchers* unique identifying element, *and reconciling and sorting* (column 5 lines 23-43)” (emphases added). However, this exact passage in Luciano states:

With reference now to FIG. 7, a player initiates play in the present system and method usually by handing cash (or other form of remuneration or credit) to a cashier attending a CT or MCT. The cashier enters the transaction into the CT through the keyboard, and the CT generates a unique transaction code to be printed on a voucher as noted above in connection with the discussion of FIG. 6. The CT then transmits the calculated transaction code and associated data (the time, date, amount tendered by the player) to the PAS. The PAS checks the validity of the information received from the CT, records the transaction code, amount of the voucher value and identifying data, and stores the information in the database. The PAS then transmits to the CT a confirmation of the validity of the code and stores all the information in a database record to be accessed by the unique transaction code. Upon receiving the confirmation the CT prints the voucher, such as shown in FIG. 6. The cashier then hands the voucher to the player so that the player may take the voucher to commence playing games of chance on any one of the PTs on the network, as shown in FIG. 1.

As in the foregoing examples, Applicant is at a loss in understanding how this passage discloses or teaches the elements or steps of retrieving, sorting or reconciling of cash vouchers from gaming machines. While Applicant readily notes and acknowledges that Luciano discloses and teaches a system involving cash vouchers, the material elements and steps of a gaming machine

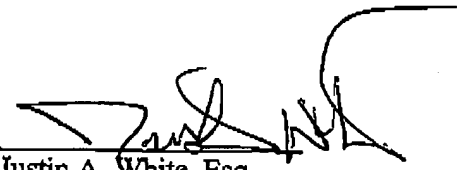
and the retrieving, sorting and reconciling of such cash vouchers from a gaming machine have not been shown to be present in Luciano. Accordingly, Luciano cannot be said to cure the deficiencies of Boushy, such that the pending claims are all patentable over each recited prior art reference both alone and in any combination.

### CONCLUSION

Applicant respectfully submits that all claims are in proper form and condition for patentability, and requests a Notification of Allowance to that effect. It is believed that no fees are due at this time. Should an extension of time fee or any other fee be required for any reason related to this document, however, then the Commissioner is hereby authorized to charge said fee to Deposit Account No. 50-0388, referencing Docket No. IGT1P116. The Examiner is respectfully requested to contact the undersigned attorney at the telephone number below with any questions or concerns relating to this document or application.

Respectfully Submitted,  
BEYER WEAVER & THOMAS, LLP.

Date: July 7, 2004



Justin A. White, Esq.  
Reg. No. 48,883

Beyer, Weaver & Thomas LLP  
P.O. Box 778  
Berkeley, California 94704-0778  
(650) 961-8300

IGT1P116

-13-